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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,452	11/19/2001	Paul-Marcel St-Onge	48135.0100/PS01	9377
40604	7590	10/20/2005	EXAMINER	
INTER-TEL, INC. 7300 WEST BOSTON STREET CHANDLER, AZ 85226			GAUTHIER, GERALD	
		ART UNIT		PAPER NUMBER
		2645		

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/006,452	ST-ONGE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gerald Gauthier	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 02 August 2005.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-19,31-34 and 37-56 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 1-19,31-34,37 and 38 is/are allowed.

6) Claim(s) 39-56 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claim(s) 39-41, 44-47 and 50-56** are rejected under 35 U.S.C. 102(e) as being anticipated by Szlam (US 6,359,892 B1).

Regarding **claim(s) 39**, Szlam discloses a method for remote access session to a telephone couple to an office information center (FIG. 1 and column 9-12), said method comprising the steps of:

establishing a communications link between a remote client and the world-wide-web (FIG. 1 and column 9, lines 4-9) [The user at the communication device 10, establishes a communication link to the PBX using the Internet];

displaying a web page on said remote client (FIG. 3 and column 11, lines 36-47) [The user at the communication device 10, opens a folder that display a page of the main office];

from said web page, establishing a communications link to a port of a private branch exchange system of said office information center, said port corresponding to a pre-existing link to said telephone (FIG. 3 and column 11, lines 36-47);

constructing a web page model of said telephone viewable on said remote client, said web page model comprising a representation of a plurality of functions available on said telephone (FIG. 5 and column 12, lines 26-44);

coupling a telephone-related event from said PBX to said remote client (FIG. 5 and column 12, lines 45-55);

terminating said communications links between said remote client and said office information center (FIG. 5 and column 12, lines 45-55); and

updating said telephone functions in accordance with any alterations made from said web page model of said telephone displayed on said remote client (FIG. 1 and column 16, lines 6-14 and column 20, lines 31-37).

Regarding **claim(s) 40**, Szlam discloses a method for remote access, wherein said telephone comprises accesses to one of a keyset, a workstation coupled to a keyset, or a phantom extension (column 12, lines 26-44).

Regarding **claim(s) 41**, Szlam discloses a method for remote access, wherein said step of establishing a communications link to a port of said PBX system comprises the steps of: establishing a communications link to a messaging server of said voice information center (column 16, lines 6-14); and

establishing a link between said messaging server and said PBX system (column 16, lines 6-14).

Regarding **claim(s) 44**, Szlam discloses a method for remote access of, further comprising the step of compressing data representative of an incoming call prior to routing said call to said remote client (column 13, lines 1-10).

Regarding **claim(s) 45**, Szlam discloses a method for remote access, further comprising the step of establishing a link to a web page server having said web page stored thereon (column 12, lines 26-44).

Regarding **claim(s) 46**, Szlam discloses a method for remote access, wherein said step of establishing a communications link to a port of said PBX system comprise the steps of: establishing a communications link between said remote client and a local area network of said office information center (column 11, lines 36-47); and

establishing a link to an Internet protocol controller of said PBX system (column 11, lines 36-47).

Regarding **claim(s) 47**, Szlam discloses a method for remote access, further comprising the step of translating said incoming call to a packet for transmission (column 13, lines 10-20).

Regarding **claim(s) 50**, Szlam discloses a method for remote access, further comprising the step of displaying on a display of said telephone a notification that said telephone is disabled (column 13, lines 45-55).

Regarding **claim(s) 51**, Szlam discloses a method for remote access, further comprising the step of determining the type of remote client prior to displaying said web page (column 11, lines 36-47).

Regarding **claim(s) 52**, Szlam discloses a method for remote access, further comprising the step of authenticating said remote client (column 11, lines 36-47).

Regarding **claim(s) 53**, Szlam discloses a method for remote access, wherein said step of establishing a communications link between said remote client and the world-wide-web comprises activating a pre-programmed function key on said remote client (column 14, lines 26-40).

Regarding **claim(s) 54**, Szlam discloses a method for remote access, further comprising the step of disabling said plurality of functions available on said telephone and enabling said remote client to manage said functions (column 14, lines 26-40).

Regarding **claim(s) 55**, Szlam discloses a method for remote access, further comprising the step of restoring said port link to said telephone (column 12, lines 56-65).

Regarding **claim(s) 56**, Szlam discloses a method for remote access, wherein said coupling step comprises an incoming call received at said PBX (column 12, lines 26-44).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claim(s) 42, 43, 48 and 49** are rejected under 35 U.S.C. 103(a) as being unpatentable over Szlam in view of Dunn et al. (US 5,651,054).

Regarding **claim(s) 42**, Szlam as applied to **claim(s) 39** differs from **claim(s) 42** in that it fails to disclose an OAI link between the messaging server and the PBX system.

However, Dunn teaches a method for remote access, wherein said link between said messaging server and said PBX system comprises an OAI link (column 3, lines 26-38).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Szlam using the OAI protocol as taught by Dunn.

This modification of the invention would offer the capability of the remote device having an OAI link between the messaging server and the PBX system so that the user would monitor a message being left by a caller.

Regarding **claim(s) 43**, Dunn teaches a method for remote access, further comprising the step of transferring data representative of said plurality of functions over said OAI link (column 3, lines 26-38).

Regarding **claim(s) 48**, Dunn teaches a method for remote access, further comprising the step of routing a voice mail message stored on a database within said office information center to said remote client (column 4, lines 46-61).

Regarding **claim(s) 49**, Dunn teaches a method for remote access, further comprising the step of viewing said voice mail message on a display of said remote client (column 4, lines 46-61).

***Allowable Subject Matter***

7. **Claim(s) 1-19, 31-34, 37 and 38** are allowed.
8. The following is an examiner's statement of reasons for allowance:

Regarding **claim(s) 1 and 31** the prior art of record at this time fails to disclose or suggest a communication device initiating a session by accessing a graphic user interface and during the session receives information of a telephone call from a private branch exchange system via the graphic user interface, thereby transferring complete management functions of the call to the communication device.

***Response to Arguments***

9. Applicant's arguments with respect to **claim(s) 39-56** have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**GERALD GAUTHIER  
PATENT EXAMINER**

gg  
October 17, 2005

  
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